PATENT COOPERATION TREATY

PCT

TRANSLATION INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P803869/WO/1	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No.	International filing date (day/month)	
PCT/EP2004/012001	23.10.2004	06.11.2003
International Patent Classification (IPC) or na B60R21/02, B60R21/04		
Applicant DAIMLERCHRYSLER AG		
	iminary examination report, establishen the applicant according to Article 36.	ed by this International Preliminary Examining Authority
2. This REPORT consists of a total of	5 sheet	s, including this cover sheet.
3. This report is also accompanied by A	ANNEXES, comprising:	
a. (sent to the applicant an	d to the International Bureau) a total o	f 4 sheets, as follows:
		have been amended and are the basis for this report and/or ity (see Rule 70.16 and Section 607 of the Administrative
I I I		thority considers contain an amendment that goes beyond s indicated in item 4 of Box No. I and the Supplemental
	l Bureau only) a total of (indicate type	and number of electronic carrier(s))
		, containing a sequence listing and/or tables
related thereto, in compute Section 802 of the Admini	•	the Supplemental Box Relating to Sequence Listing (see
4. This report contains indications rela	ting to the following items:	
Box No. I Basis of th	ne report	
Box No. II Priority		
Box No. III Non-estab	lishment of opinion with regard to nov	elty, inventive step and industrial applicability
Box No. IV Lack of ur	nity of invention	
	statement under Article 35(2) with reg nd explanations supporting such staten	ard to novelty, inventive step or industrial applicability;
Box No. VI Certain do	ocuments cited	
Box No. VII Certain de	fects in the international application	
Box No. VIII Certain ob	servations on the international applicat	ion
Date of submission of the demand	Date of comp	letion of this report
Name and mailing address of the IPEA/EP	Authorized of	fficer
Facsimile No.	Telephone No).

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/012001

Box	No. I	I Basis of the report		
1.		th regard to the language, this report is based on the internationated under this item.	onal application in the language in	which it was filed, unless otherwise
		This report is based on translations from the original language which is the language of a translation furnished for the purport international search (Rule 12.3 and 23.1(b)) publication of the international application (Rule 12.4 international preliminary examination (Rule 55.2 and	ooses of:	,
2.	rece	th regard to the elements of the international application, this eiving Office in response to an invitation under Article 14 at report): the international application as originally filed/furnished the description:		
		pages 1-7 pages*		
		pages*		
	\boxtimes	the claims:	, ,	
		nos.		as originally filed/furnished
		nos.*	as amended (togethe	r with any statement) under Article 19
		nos.* _ 1-15	received by this Authority on	09.07.2005 with letter of 13.04.2005
		nos.*	received by this Authority on	
	\boxtimes	the drawings:		
		sheets 1/2,2/2		as originally filed/furnished
		sheets*	received by this Authority on	
		sheets*	received by this Authority on	
		a sequence listing and/or any related table(s) – see Supplen	nental Box Relating to Sequence L	isting.
3.		The amendments have resulted in the cancellation of:		
		the description, pages		
		the claims, nos.		
		the sequence listing (specify):		
4.		This report has been established as if (some of) the amend they have been considered to go beyond the disclosure as f	dments annexed to this report and	listed below had not been made, since
		the description, pages		
		the claims, nos.		
		the sequence listing (specify):		
		any table(s) related to sequence listing (specify):		
*	If ite	em 4 applies, some or all of those sheets may be marked "sup	perseded."	

International application No.
PCT/EP2004/012001

Box			rticle 35(2) with regard to novelty, inventive step or industrial applicability; oporting such statement	
1.	Statement			
	Novelty (N)	Claims	1-15	YES
		Claims		NO
	Inventive step (IS)	Claims	1-15	YES
		Claims		NO
	Industrial applicability (IA)	Claims	1-15	YES
		Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following document:

D1: DE 100 43 290 C1 (ACTS GMBH & CO KG.), 18 April 2002 (2002-04-18)

Novelty

Document D1, which is considered to be the prior art closest to the subject matter of independent claim 1, discloses the following (the references in parentheses are to D1):

Safety device (1) for a vehicle, more particularly a motor vehicle, for reducing the risk of injury to a vehicle occupant (25) in side-impact collisions, having at least one cushioning element (4) which is mounted on the vehicle next to an occupant position and can be moved by an actuator device (5) in the direction of the occupant position from a rest position to an extended position, the actuator device (5) being driven by an in-vehicle drive mechanism.

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The subject matter of claim 1 differs from the known safety device in that the in-vehicle drive mechanism is an electric motor.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

2. Independent claim 15 relates to a method for operating a safety device comprising a device which is driven by an in-vehicle electric motor as per claim 1 (for example). The subject matter of claim 15 is therefore also novel (PCT Article 33(2)).

Inventive step

3. The problem addressed by the present invention can thus be seen as that of finding an alternative drive mechanism.

The use of an electric motor as the in-vehicle drive mechanism instead of the pyrotechnic actuator known from document D1 not only allows the speed and distance of extension of the cushioning element to be controlled, but also allows the cushioning element to be retracted into the starting position.

The subject matter of claim 1 and 15 is therefore inventive (PCT Article 33(3)).

4. Claims 2 to 14 are dependent on claim 1 and therefore also meet the PCT requirements in respect of novelty and inventive step.

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No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
Indu	strial applicability
5.	The safety device claimed in the present application
	can be used in the automotive industry.